

Senate File 174 - Introduced

SENATE FILE 174
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1007)

A BILL FOR

1 An Act relating to the placement of a child who is the subject
2 of a pending delinquency petition in a supervised apartment
3 living arrangement pursuant to a consent decree, and the
4 circumstances under which the placement is paid by the state.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 232.46, subsection 1, paragraph a, Code
2 2025, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (6) Placement of the child in a supervised
4 apartment living arrangement if the child has previously and
5 continuously lived in a qualified residential treatment program,
6 a shelter, or a combination of both, for a period of not
7 less than six months immediately preceding the determination for
8 placement in a supervised apartment living arrangement, and the
9 child is lacking family support needed to successfully transition
10 to independent living.

11 Sec. 2. Section 234.35, subsection 1, Code 2025, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. 0e. When a court has entered an order
14 transferring the legal custody of the child to a supervised
15 apartment living arrangement pursuant to section 232.46,
16 subsection 1, paragraph "a", subparagraph (6). However,
17 payment shall not be made for a supervised apartment living
18 arrangement unless the supervised apartment living arrangement
19 meets requirements as established by the department by rule.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the placement of a child who is the
24 subject of a pending delinquency petition in a supervised
25 apartment living arrangement pursuant to a consent decree, and
26 the circumstances under which the placement is paid by the state.

27 Under current law, any time after a petition is filed alleging
28 a child has committed a delinquent act and prior to the entry
29 of an order adjudicating the matter, a court may suspend the
30 proceedings on motion of the county attorney or the child's
31 counsel, enter a consent decree, and continue the case under
32 terms and conditions established by the court in the consent
33 decree. A court may select any combination of the following
34 terms of a consent decree: prohibit the child from driving a
35 motor vehicle for a specified period of time or under specific

1 circumstances; require supervision of the child by a juvenile
2 court officer or other agency or person designated by the court;
3 require the child to perform a work assignment of value to the
4 state or to the public; require the child to make restitution
5 consisting of a monetary payment to a victim or a work assignment
6 directly of value to the victim; or place the child in a group or
7 family foster care setting funded by the department of health and
8 human services (HHS), if the court determines that is the least
9 restrictive option.

10 The bill allows a court to place a child in a supervised
11 apartment living arrangement (SAL) as a condition of a consent
12 decree if the child has previously and continuously lived in
13 a qualified residential treatment program, a shelter, or a
14 combination of both, for a period of not less than six months
15 immediately preceding the determination for placement in a SAL,
16 and the child is lacking family support needed to successfully
17 transition to independent living.

18 The bill makes HHS responsible for the payment of foster care
19 services if a child is placed in a supervised apartment living
20 arrangement as a condition of a consent decree, provided that
21 such supervised apartment living arrangement meets requirements
22 as established by HHS by rule.